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Chairman: Ms. Bouheddou (Vice-Chairman) (Algeria)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

Contents

Agenda item 119: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Report of the Office of Internal Oversight Services on the audit of the Investment Management Service of the United Nations Joint Staff Pension Fund (*continued*)

Agenda item 120: Programme budget for the biennium 2002-2003 (*continued*)

Conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice, judges of the International Criminal Tribunal for the Former Yugoslavia and judges of the International Criminal Tribunal for Rwanda (*continued*)

Salary and retirement allowance of the Secretary-General and salary and pensionable remuneration of the Administrator of the United Nations Development Programme (*continued*)

Agenda item 121: Proposed programme budget for the biennium 2004-2005 (*continued*)

Information and communication technology strategy (*continued*)

Development Account (*continued*)

Additional expenditures deriving from inflation and currency fluctuations (*continued*)

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Proportion of General Service staff to Professional staff in the regional commissions (*continued*)

Comprehensive review of the post structure of the United Nations Secretariat (*continued*)

United Nations Fund for International Partnerships (*continued*)

Agenda item 138: Financing of the United Nations Organization Mission in the Democratic Republic of the Congo (*continued*)

Agenda item 140: Financing of the United Nations Mission of Support in East Timor (*continued*)

Agenda item 143: Financing of the activities arising from Security Council resolution 687 (1991) (*continued*)

(a) United Nations Iraq-Kuwait Observation Mission (*continued*)

Agenda item 165: Financing of the United Nations Mission in Liberia (*continued*)

Agenda item 166: Admission of the International Criminal Court to membership in the United Nations Joint Staff Pension Fund (*continued*)

Agenda item 12: Report of the Economic and Social Council (*continued*)

Agenda item 121: Proposed programme budget for the biennium 2004-2005 (*continued*)

Request for a subvention to the United Nations Institute for Disarmament Research resulting from the recommendations of the Board of Trustees of the Institute on the work programme of the Institute for 2004

Revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive and resumed substantive session of 2003

United Nations Institute for Training and Research

Revised estimates: effect of changes in rates of exchanges and inflation

Agenda item 134: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*)

Agenda item 121: Proposed programme budget for the biennium 2004-2005 (*continued*)

Administration and management of the Office of the United Nations High Commissioner for Human Rights

Agenda item 120: Programme budget for the biennium 2002-2003 (*continued*)

Agenda item 121: Proposed programme budget for the biennium 2004-2005 (*continued*)

Agenda item 161: Financing of the United Nations Mission in Côte d'Ivoire (*continued*)

In the absence of Mr. Kmoníček (Czech Republic), Ms. Bouheddou (Algeria), Vice-Chairman, took the Chair.

The meeting was called to order at 10.10 a.m.

Agenda item 119: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Report of the Office of Internal Oversight Services on the audit of the Investment Management Service of the United Nations Joint Staff Pension Fund (*continued*) (A/C.5/58/L.11)

1. **Ms. Stanley** (Ireland) introduced draft resolution A/C.5/58/L.11 on behalf of the Chairman. As consensus had been reached in informal consultations, she hoped that it would be adopted by consensus.

2. *Draft resolution A/C.5/58/L.11 was adopted.*

Agenda item 120: Programme budget for the biennium 2002-2003 (*continued*)

Conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice, judges of the International Criminal Tribunal for the Former Yugoslavia and judges of the International Criminal Tribunal for Rwanda (*continued*) (A/C.5/58/L.12)

3. **Mr. Kendall** (Argentina) introduced draft resolution A/C.5/58/L.12, on behalf of the Chairman. As consensus had been reached in informal consultations, he recommended that it should be adopted by consensus.

4. *Draft resolution A/C.5/58/L.12 was adopted.*

Salary and retirement allowance of the Secretary-General and salary and pensionable remuneration of the Administrator of the United Nations Development Programme (*continued*) (A/C.5/58/L.18)

5. **Mr. Pulido León** (Venezuela), Vice-Chairman, introduced draft resolution A/C.5/58/L.18, on which consensus had been reached in informal consultations. He hoped that it would be adopted by consensus.

6. *Draft resolution A/C.5/58/L.18 was adopted.*

Agenda item 121: Proposed programme budget for the biennium 2004-2005 (*continued*)

Information and communication technology strategy (*continued*) (A/C.5/58/L.14)

7. **The Chairman** introduced draft resolution A/C.5/58/L.14. He took it that the Committee wished to adopt it by consensus.

8. *Draft resolution A/C.5/58/L.14 was adopted.*

Development Account (*continued*) (A/C.5/58/L.19)

9. **Mr. Wins** (Uruguay) introduced draft decision A/C.5/58/L.19 on behalf of the Chairman. Consensus had been reached in informal consultations and he hoped that it would be adopted by consensus.

10. *Draft decision A/C.5/58/L.19 was adopted.*

Additional expenditures deriving from inflation and currency fluctuations (*continued*) (A/C.5/58/L.20)

11. **Mr. Pulido León** (Venezuela), Vice-Chairman, introduced draft decision A/C.5/58/L.20. As consensus had been reached in informal consultations, he hoped that it would be adopted by consensus.

12. *Draft decision A/C.5/58/L.20 was adopted.*

Proportion of General Service staff to Professional staff in the regional commissions (*continued*) (A/C.5/58/L.21)

13. **Mr. Pulido León** (Venezuela), Vice-Chairman, introduced draft decision A/C.5/58/L.21. Consensus had been reached in informal consultations and he recommended that it should be adopted by consensus.

14. *Draft decision A/C.5/58/L.21 was adopted.*

Comprehensive review of the post structure of the United Nations Secretariat (*continued*) (A/C.5/58/L.22)

15. **Mr. Pulido León** (Venezuela), Vice-Chairman, introduced draft resolution A/C.5/58/L.22. As consensus had been reached in informal consultations, he recommended that it should be adopted by consensus.

16. *Draft resolution A/C.5/58/L.22 was adopted.*

United Nations Fund for International Partnerships (*continued*) (A/C.5/58/L.23)

17. **Mr. Tootoonchian** (Islamic Republic of Iran) introduced draft decision A/C.5/58/L.23, on behalf of the Chairman. As consensus had been reached in informal consultations, he hoped that it would be adopted by consensus.

18. *Draft decision A/C.5/58/L.23 was adopted.*

Agenda item 138: Financing of the United Nations Organization Mission in the Democratic Republic of the Congo (*continued*) (A/C.5/58/L.24)

19. **Mr. Pulido León** (Venezuela), Vice-Chairman, introduced draft resolution A/C.5/58/L.24, on which consensus had been reached in informal consultations. He recommended that it should be adopted by consensus.

20. *Draft resolution A/C.5/58/L.24 was adopted.*

Agenda item 140: Financing of the United Nations Mission of Support in East Timor (*continued*) (A/C.5/58/L.16)

21. **Mr. Rajeh** (Saudi Arabia), Rapporteur, introduced draft resolution A/C.5/58/L.16, on which consensus had been reached in informal consultations. He recommended that it should be adopted by consensus.

22. *Draft resolution A/C.5/58/L.16 was adopted.*

Agenda item 143: Financing of the activities arising from Security Council resolution 687 (1991) (*continued*)

(a) United Nations Iraq-Kuwait Observation Mission (*continued*) (A/C.5/58/L.17)

23. **Ms. Samayoa-Recari** (Guatemala) introduced draft decision A/C.5/58/L.17 on behalf of the Chairman. As consensus had been reached in informal consultations, she hoped that it would be adopted by consensus.

24. *Draft decision A/C.5/58/L.17 was adopted.*

Agenda item 165: Financing of the United Nations Mission in Liberia (*continued*) (A/C.5/58/L.25)

25. **Ms. Stanley** (Ireland) introduced draft resolution A/C.5/58/L.25 on behalf of the Chairman. As consensus had been reached in informal consultations, she recommended that it should be adopted by consensus.

26. *Draft resolution A/C.5/58/L.25 was adopted.*

27. **Ms. Nwadibia-Anyanwu** (Nigeria), speaking in explanation of position, said that, while her delegation had no problem with the resolution that had just been adopted, it had taken due note of the comments of the Advisory Committee on Administrative and Budgetary Questions, in its report (A/58/591), on the need for similar activities and functions to be properly grouped together. As the Advisory Committee had indicated, it was not clear why there were two separate job assignments on humanitarian and human rights when those functions could be properly coordinated by one Deputy Special Representative of the Secretary-General. She hoped that arrangement would be adopted in future. Her delegation would also be requesting more information from the Secretariat on a number of other vital issues, including the output on assisting the National Transitional Government of Liberia to restore the proper administration of natural resources.

28. **The Chairman** said that the Secretariat had taken note of the observations of the representative of Nigeria.

Agenda item 166: Admission of the International Criminal Court to membership in the United Nations Joint Staff Pension Fund (*continued*) (A/C.5/58/L.15)

29. **Mr. Kendall** (Argentina) introduced draft resolution A/C.5/58/L.15 on behalf of the Chairman. Consensus had been reached in informal consultations and he recommended that it should be adopted by consensus.

30. *Draft resolution A/C.5/58/L.15 was adopted.*

Agenda item 12: Report of the Economic and Social Council (*continued*) (A/C.5/58/L.26)

31. **The Chairman** introduced draft decision A/C.5/58/L.26 on the delegation of formal authority in matters of personnel of the United Nations Population Fund. He took it that the Committee wished to adopt it by consensus.

32. *Draft decision A/C.5/58/L.26 was adopted.*

Agenda item 121: Proposed programme budget for the biennium 2004-2005 (*continued*)

Request for a subvention to the United Nations Institute for Disarmament Research (UNIDIR) resulting from the recommendations of the Board of Trustees of the Institute on the work programme of the Institute for 2004 (A/58/7/Add.4; A/C.5/58/3)

33. **Ms. Van Buerle** (Office of Programme Planning, Budget and Accounts), introduced the note by the Secretary-General on the request for a subvention to the United Nations Institute for Disarmament Research resulting from the recommendations of the Board of Trustees of the Institute on the work programme of the Institute for 2004 (A/C.5/58/3). In accordance with standard procedure arising from the provisions of the statute of the United Nations Institute for Disarmament Research (UNIDIR) contained in General Assembly resolution 39/148 H, the General Assembly was requested to approve a subvention in the amount of $227,600 for UNIDIR for 2004. A related provision to finance the subvention for the biennium 2004-2005 was included in the proposed programme budget for 2004-2005 under section 4, Disarmament.

34. **Mr. Mselle** (Advisory Committee on Administrative and Budgetary Questions), introduced the fifth report of the Advisory Committee on Administrative and Budgetary Questions (A/58/7/Add.4). The Advisory Committee recommended approval of the subvention of $227,600 to UNIDIR for 2004. Since the amount was already included in the proposed programme budget, no additional provision would be required under section 4 of the proposed programme budget for 2004-2005.

35. **Ms. Attwooll** (United States of America) noted that annex I of document A/C 5/58/3 did not reflect a contribution of $606,000 from the Government of Japan for 2003 that was to be applied to the years 2001, 2002 and 2003. As that contribution had been included in previous reports, she would appreciate clarification. She also wondered whether any additional pledges were expected for either the remainder of 2003 or for 2004, and what efforts were being made to increase voluntary contributions to UNIDIR.

36. **The Chairman** said that the Secretariat would reply to the United States representative in informal consultations.

Revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive and resumed substantive sessions of 2003 (A/58/7/Add.8; A/C.5/58/10)

37. **Mr. Thatchaichawalit** (Officer-in-Charge of the Economic, Social and Human Rights Service, Office of Programme Planning, Budget and Accounts), introducing the report of the Secretary-General on the revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive and resumed substantive sessions of 2003 (A/C.5/58/10), said that the related expenditure requirements were estimated at $2 million net, of which $1.2 million could be absorbed either within the revised appropriation for 2002-2003 or within the resources proposed for 2004-2005. The remaining requirements of $842,700 for 2004-2005 would be charged to the contingency fund. An additional amount of $48,600 required under section 34 (Staff assessment) would be offset by an equivalent amount under Income section 1.

38. In its resolution 2003/60, the Council had decided that the Committee of Experts on Public Administration should meet annually, instead of biennially; that would entail additional requirements of $58,300 under section 9 of the proposed programme budget for the biennium 2004-2005.

39. Resolution 2003/61 concerned the future programme, organization and methods of work of the Commission on Sustainable Development. The adoption of the resolution gave rise to new activities to be carried out in 2003 and 2004-2005. The requirements in 2003 would be met through redeployment of resources. Those in 2004-2005, which totalled $361,400-$235,900 for two new posts (one P-5 and one P-3) and $125,500 for non-post costs — would be met from an existing provision of $555,300 for four meetings of the Commission's ad hoc intersessional working groups, which had been disbanded. The balance of $193,900 would be used for travel by representatives of members of the Commission to attend intergovernmental preparatory meetings and regional meetings.

40. In its decision 2003/242, the Council had endorsed the request of the Commission on Human Rights for its working group to meet for a period of 10 working days to consider options regarding the elaboration of an optional protocol to the International

Covenant on Economic, Social and Cultural Rights; that would result in additional requirements of $337,800 under section 2 of the proposed programme budget for the biennium 2004-2005 and $4,400 under section 29 E. Only the latter amount could be absorbed within anticipated provisions.

41. The Council, in its decision 2003/261, had taken note of a resolution of the Commission on Human Rights in which it was proposed that a two-day high-level seminar should be convened immediately prior to the next session of the Commission's Working Group on the Right to Development. The full cost of the seminar would amount to $63,000 under section 2 of the proposed programme budget, for documentation, and $63,200 under section 24, for the preparation by consultants of six specialized papers. No additional appropriation would be required under section 24.

42. In its decision 2003/264, the Council had authorized the Subcommission on the Promotion and Protection of Human Rights to convene an annual intersessional forum on economic, social and cultural rights in Geneva, to be known as the Social Forum. The full cost of the Forum would amount to $336,200. However, if the annual meetings were held during the sessions of the Subcommission, no additional appropriation would be required; if the Forum were held back-to-back with the sessions of the Subcommission, an additional appropriation of $12,800 would be required in 2004-2005 for the additional two-day daily subsistence allowance for its 10 members. The General Assembly was requested to select one of the three options just described.

43. In its decision 2003/269, the Council had authorized eight fully serviced additional meetings for the sixtieth session of the Commission on Human Rights. The additional requirements under section 2 amounted to $193,800.

44. In its decision 2003/280, the Council endorsed the recommendation by the Committee for Development Policy to include Timor-Leste in the list of least developed countries. The requirements for travel by representatives of Timor-Leste, pursuant to General Assembly resolutions 1798 (XVII) and 41/213, were estimated at $42,500 for 2003 and $91,900 for 2004-2005. While the requirements for 2003 could be absorbed within existing resources, an additional provision would be needed under section 1 of the proposed programme budget for the biennium 2004-2005.

45. Lastly, in its decision 2003/291, the Council had decided that the duration of the regular sessions of the Commission on Science and Technology for Development should be reduced from two weeks to one; that would result in savings of $228,300 under conference-servicing resources.

46. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of ACABQ (A/58/7/Add.8), said that, in paragraph 3, the Advisory Committee noted that the resolutions and decisions adopted by the Economic and Social Council at its substantive and resumed substantive sessions of 2003 would give rise to estimated requirements of $2 million, of which $842,700 would be charged to the contingency fund. It recommended that the Fifth Committee should take note of the estimate of $842,700, on the understanding that such appropriations as might be necessary would be considered in the context of a consolidated statement of programme budget implications and revised estimates to be submitted to the General Assembly in the near future.

47. **Ms. Goicochea** (Cuba), referring to the meetings of the Social Forum (A/C.5/58/10, paras. 27-30), said that it was not clear to her what action the General Assembly was required to take or how the Council would then proceed.

48. **Ms. Attwooll** (United States of America) said that her delegation had understood that the additional requirements for travel arising from the annualization of the meetings of the Committee of Experts on Public Administration would be met through redeployment of resources. It was surprised and disappointed that that was not the case.

49. **Mr. Thatchaichawalit** (Officer-in-Charge of the Economic, Social and Human Rights Service, Office of Programme Planning, Budget and Accounts) said that the General Assembly was requested to take a decision concerning the scheduling of the Social Forum. That decision would then be conveyed to the Council, which would be invited to proceed on that basis. He would respond to the point raised by the representative of the United States in informal consultations.

United Nations Institute for Training and Research (A/58/7/Add.10 and A/58/544)

50. **Mr. Thatchaichawalit** (Officer-in-Charge of the Economic, Social and Human Rights Service, Office of Programme Planning, Budget and Accounts), introducing the report of the Secretary-General on the United Nations Institute for Training and Research (A/58/544), said that the report, which had been prepared on the basis of consultations with the Executive Director of the United Nations Institute for Training and Research (UNITAR), addressed all the issues referred to in General Assembly resolution 57/292, including the status of voluntary contributions, the payment of the accumulated debt of the Institute and the provisions offered to other comparable organizations. It also contained specific proposals on how best to deal with the Institute's past and future maintenance and rental costs.

51. Divergent trends were to be observed with regard to the operations of the Institute's General Fund and Special Purpose Grants Fund. The expenditures of the General Fund appeared to be decreasing, while those of the Special Purpose Grants Fund had increased, resulting in a rise in programme support costs, which constituted one source of income for the General Fund. As at December 2002, the balance of the General Fund had stood at $662,756 and that of the Special Purpose Grants Fund at $5.1 million.

52. The current arrangements regarding rental rates and maintenance costs for other comparable organizations, specifically the United Nations Institute for Disarmament Research (UNIDIR) and the United Nations Research Institute for Social Development (UNRISD), were described in section V of the report.

53. It was proposed that, in order to compensate the Institute for the General Fund expenditures relating to the provision, free of charge, of training to diplomatic personnel of the missions to the United Nations, the Institute should be provided with an annual subvention in an amount not exceeding its annual rental and maintenance costs, which had amounted to $165,630 in 2002. Should the General Assembly adopt the proposal, an additional provision of $331,300 would be required under section 29E of the proposed programme budget for the biennium 2004-2005; that amount would represent a charge against the contingency fund.

54. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of ACABQ (A/58/7/Add.10), said that the comments of the Advisory Committee were contained in paragraphs 1 to 11, while paragraphs 12 and 13 contained its substantive recommendations. The Advisory Committee was of the view that providing the Institute with an annual subvention was a policy matter to be decided by the General Assembly. Should the Assembly endorse the Secretary-General's proposal, an additional provision of $331,300 would be required; that provision would represent a charge against the contingency fund.

55. The Advisory Committee considered that the loan owed to the United Nations should be repaid within a shorter time frame than that proposed in the report of the Secretary-General (A/58/544). Accordingly, it recommended that the Executive Director of the Institute should explore the possibility of releasing part of the accrued interest on special purpose grants so that it could be applied towards loan repayment.

56. **Ms. Nwadibia-Anyanwu** (Nigeria) said that the training courses offered by UNITAR were vital to delegates, enabling them to enhance their work in the various committees of the United Nations, and that those laudable activities must continue. Her delegation therefore welcomed the proposals contained in the report of the Secretary-General (A/58/544). It urged Member States to support the recommendation in paragraph 40 (a) that the Institute should be provided with an annual subvention in respect of its rental, maintenance and other costs. In that connection, she noted that, since most voluntary contributions to the Institute were earmarked for specific projects, it had no flexibility to apply such funds to administrative expenses. The time had come to resolve the issue of the Institute's past and future maintenance and rental costs once and for all. Her delegation therefore strongly supported the recommendation contained in paragraph 40 (b) of the Secretary-General's report concerning repayment of the amount owed to the United Nations. Lastly, she reiterated her delegation's unequivocal support for the Institute.

57. **Ms. Goicochea** (Cuba) said that her delegation wished to endorse the statement made by the representative of Nigeria. Concerning the proposal to provide an annual subvention to UNITAR, which it supported, she asked whether the level of the subvention would be fixed, or whether it would be adjusted in the future to take account of inflation. Her delegation also welcomed the proposal in paragraph

40 (b) regarding repayment of the amount owed by the Institute to the United Nations. Noting that the Advisory Committee had recommended a different approach, she asked what the impact on the Institute's activities would be should the General Assembly act on that basis.

58. **Ms. Attwooll** (United States of America) said that UNITAR was to be commended for its positive contribution to the United Nations and its efforts to keep its end-of-year balances high. She noted that the General Fund would still show a positive balance even after the deduction of the rental and maintenance costs for 2004-2005. The United Nations already provided the Institute with in-kind contributions, including administrative support and conference-servicing facilities, worth approximately $316,000. Moreover, it had previously released the Institute from more than $10 million of debt. She asked what the United Nations policy on non-payment of rent was, on what authority the Organization had continued to fund the maintenance, cleaning, messenger, security and shuttle services provided to UNITAR, and whether the Institute had explored the option of charging for the services currently provided to diplomatic personnel at no cost. Lastly, it was not clear to her why reimbursement of programme and administrative support to the operations and expenditures of the Special Purpose Grants Fund had not been established at the standard rate of 13 per cent, as had been recommended in a number of audits. Raising the rate of reimbursement would significantly improve the financial position of the General Fund.

59. **Mr. Thatchaichawalit** (Officer-in-Charge of the Economic, Social and Human Rights Service, Office of Programme Planning, Budget and Accounts) said that some UNITAR programmes were already self-sustaining. The rate of reimbursement varied because the uses to which special purpose grants could be put were determined in agreements between the Institute and donors. The recommendations of the various audits had been noted. Indeed, in paragraph 40 (b) of the Secretary-General's report (A/58/544), it was recommended that UNITAR should apply a consistent programme support rate to the Special Purpose Grants Fund. He would reply to the other questions posed in informal consultations.

Revised estimates: effect of changes in rates of exchange and inflation (A/58/7/Add.11 and A/58/528)

60. **Mr. Halbwachs** (Controller), introducing the report of the Secretary-General on revised estimates (A/58/528), said that, in accordance with established practice, the Secretariat was submitting an updated report reflecting the recosting of the budget. The present report was being submitted two months earlier than usual in order to facilitate the work of the Fifth Committee. He drew attention to table 1, which provided a summary of the results of recosting. Taking account of the adjustments recommended by the Advisory Committee on Administrative and Budgetary Questions, the revised estimated programme budget amounted to $3,167,615.9.

61. Table 2 contained the revised estimates for income sections 1 to 3 of the proposed programme budget for the biennium 2004-2005 and schedules I to IV provided the rates of exchange relative to the United States dollar and annual rates of inflation by duty station, post adjustment multipliers by main duty station, annual cost-of-living adjustments by main duty station (General Service), and the effects of recosting by budget section and main determining factor, respectively.

62. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the twelfth report of ACABQ (A/58/7/Add.11), said that the report contained brief comments and recommendations relating to the report of the Secretary-General. The Advisory Committee had found no technical basis for objecting to the Secretary-General's revised estimates and, accordingly, had transmitted them to the Fifth Committee for consideration. The Advisory Committee also drew attention to the comments in its first report on the proposed programme budget for the biennium 2004-2005 with regard to the December recosting (A/58/7, paras. 153-157).

63. **Ms. Goicochea** (Cuba) expressed her satisfaction at the early submission of the report of the Secretary-General. She wished to reaffirm her delegation's position on the proposals of ACABQ contained in paragraphs 153-157 of its first report (A/58/7) concerning December recosting. In accordance with established practice, adjustments to the initial budget

estimates should continue to be made in December, not during consideration of the first performance report.

Agenda item 134: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*) (A/58/596 and A/58/609)

64. **Ms. Pollard** (Director of the Peacekeeping Financing Division), introducing the note by the Secretary-General on the transfer of buildings to the United Nations Logistics Base at Brindisi (A/58/596), said that the Government of Italy had indicated its willingness to transfer five additional buildings, with a total floor space of 1,760 square metres, to the United Nations Logistics Base at Brindisi. Those buildings, which were located within the premises of the Logistics Base, had been identified with a view to accommodating the current operations and the Strategic Deployment Stocks assets. The alternative of constructing containerized offices would require additional funds estimated at $985,671.

65. It was proposed that the United Nations should renovate the five buildings at an estimated cost of $140,000. Thereafter, the cost of maintenance, estimated at $15,000 per annum, must also be borne by the United Nations. The Logistics Base appropriation for the period 1 July 2003-30 June 2004 would absorb the additional costs associated with the renovation of the five buildings and the maintenance thereof. The approval of the General Assembly was therefore sought consistent with Financial Regulation 3.11.

66. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the related report of ACABQ (A/58/609), said that, in the light of the information contained in the note by the Secretary-General and the comments of ACABQ, the Advisory Committee recommended that the General Assembly should approve the acceptance of five additional buildings pledged by the Government of Italy.

67. **Mr. Medina** (Morocco) said that he wished to express his gratitude to the Government of Italy for its offer, which was a clear indication of the importance attached by Member States to United Nations peacekeeping operations.

Agenda item 121: Proposed programme budget for the biennium 2004-2005 (*continued*)

Administration and management of the Office of the United Nations High Commissioner for Human Rights (A/58/569 and A/58/7/Add.12)

68. **Mr. Thatchaichawalit** (Officer-in-Charge of the Economic, Social and Human Rights Service, Office of Programme Planning, Budget and Accounts), introducing the report of the Secretary-General on the administration and management of the Office of the United Nations High Commissioner for Human Rights (A/58/569), said that the report had been submitted in direct response to General Assembly resolution 57/313. It also represented a response to General Assembly resolution 57/300, in which the Secretary-General had been encouraged to improve the effectiveness and management of the Office of the High Commissioner for Human Rights (OHCHR), and, as such, it built on the commitment to strengthen management contained in action 5 of the proposals for strengthening the United Nations (A/57/387 and Corr.1). In particular, the management structure of OHCHR would be made more robust by clarifying the respective responsibilities of the High Commissioner and the Deputy High Commissioner. Moreover, OHCHR would build on the implementation of measures in relation to actions 2, 3 and 4 of the aforementioned proposals (A/58/387 and Corr.1). More detailed information on the status of the implementation of those actions could be found in document A/58/351.

69. Annex I to the report presented a summary of the resources proposed for 2004-2005 relating to actions 2 to 5 described in the report of the Secretary-General on the strengthening of the United Nations (A/57/387 and Corr.1) and annex II showed the status of the implementation of the recommendations contained in the management review of OHCHR carried out by the Office of Internal Oversight Services (A/57/488) and the related resource requirements.

70. He noted that the proposals contained in the report would have no effect on section 24 of the proposed programme budget for 2004-2005. The only changes were those set out in annex III to the report, which clearly identified the responsibilities of the relevant actors, and a number of modifications to the nomenclature. It was recommended that the General Assembly should proceed to take action on section 24 of the proposed programme budget for 2004-2005.

71. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the thirteenth report of ACABQ (A/58/7/Add.12), said that the Committee's recommendations on non-post resources under section 24 were contained in its first report on the proposed programme budget (A/58/7). The report now under consideration dealt specifically with recommendations on post resources.

72. Drawing attention to paragraphs 7 to 9 of the Advisory Committee's report, he said that the Advisory Committee recommended that consideration of the establishment of a new D-2 post should be postponed to give the new High Commissioner the opportunity to review the matter. In the meantime, the current funding arrangement of the L-7 post should be maintained.

73. The Advisory Committee recommended that the functions described for a new P-3 post in the Partnership Unit of the External Relations Branch should be covered through redeployment. It agreed with the establishment of one P-4 research and analysis post in the area of the right to development. It also recommended the establishment of one new P-5 post in the Petitions Unit, on a temporary basis, and the approval of one new P-4 post for the Treaty Implementation Unit, on a permanent basis. In that connection, he drew attention to paragraphs 12 and 13 of the report.

74. The Advisory Committee had not been able to recommend the establishment of a D-1 post to head the Special Procedures Branch, but it agreed with the establishment of two additional posts, one P-5 and one P-4, to strengthen the capacity of the Branch. Lastly, the Committee agreed with the conversion of three posts (one P-5, one P-4 and one P-3) from general temporary assistance to established posts. Depending on the actions taken by the Fifth Committee, the Secretariat would have to prepare a statement detailing the financial implications of the recommendations of ACABQ.

75. **Mr. Martini** (Italy), speaking on behalf of the European Union, the acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the associated countries Bulgaria, Romania and Turkey and, in addition, Iceland and Liechtenstein, said that he felt compelled to express his deep disappointment regarding the late issuance of the reports under discussion, since such delays hindered the thorough and transparent examination of all related financial issues.

76. Further developments in the field of human rights and in other interrelated areas should be regarded as a major goal of the United Nations and, as such, they should be adequately and consistently financed by Member States. Management of support activities in those crucial areas must, however, also comply with general efficiency criteria in order not to waste resources.

77. The Advisory Committee's recommendations would receive the most careful attention from the European Union during the current session so that results that matched the necessary strengthening of the management of OHCHR would be achieved with efficient resource allocation.

78. **Ms. Goicochea** (Cuba) said that she attached great importance to the activities of OHCHR, the objective of which should be the full realization of human rights.

79. She observed that the letter and spirit of a number of paragraphs of General Assembly resolution 57/300 entailed the adoption by the General Assembly of specific decisions concerning the proposed reform measures and that both the report of the Secretary-General (A/58/569) and the proposed programme budget for section 24 requested resources to implement a number of those decisions before their adoption had been approved by the relevant intergovernmental bodies. In addition, the content of paragraph 6 of the report of the Secretary-General exceeded the scope of objective 19.16 of the medium-term plan for 2002-2005 and, consequently, also went beyond objective 1 of subprogramme 3 of the proposed programme budget. She was opposed to practices that sought to introduce elements in respect of which no intergovernmental agreement had been reached.

80. Turning to the resources requested for the implementation of action 3, she asked the Secretariat to indicate the decisions that had been taken in that connection by intergovernmental bodies as a follow-up to the consultations referred to in paragraph 7 of the report of the Secretary-General. She added that the establishment of the Petitions Unit, recommended by the Office of Internal Oversight Services, must take place in conformity with the decisions arising from those consultations.

81. An essential component of the Secretary-General's proposals related to the regularization of posts under the 200 and 100 series. In that connection, she inquired as to the impact that such changes would have on the implementation of personnel policies, in particular the staff rules for staff under those series. She also requested information about established practice in other Secretariat bodies with similar characteristics. She asked for written information, by nationality, about the series 200 staff whose conversion to series 100 had been proposed and about the overall composition of the staff of OHCHR. She also wished to know about the Secretariat's plans for issuing vacancy announcements for external candidates to fill those posts.

82. She expressed concern over the fact that the Secretariat had already created the post of Chief of Staff without prior authorization from the General Assembly, particularly since, as pointed out by ACABQ, the functions of that post overlapped with those of the Deputy High Commissioner and of the Director of the New York office of OHCHR. She was therefore opposed to maintaining the post, even at the L-7 level.

83. In recruiting staff under the 200 series, OHCHR had taken decisions that exceeded its mandate. She therefore, had serious reservations about the approval of those posts. The recruiting practices of OHCHR must be given detailed consideration by the General Assembly and any resolution adopted must provide for corrective measures to rectify the situation.

84. She took note of the proposed organizational structure described in paragraphs 11 and 12 of the report of the Secretary-General and requested further information about the need to retain the External Relations Branch and to create a post of Chief of Staff. She would have liked to have seen the establishment of a separate entity devoted to the right to development and, in that connection, asked about the number of posts dedicated to that particular field. In general, she did not agree with the Secretariat's proposals regarding the establishment of new structures in order to improve the efficiency and management of OHCHR.

85. The report of the Office of Internal Oversight Services referred to the fact that some of the mandated activities of OHCHR were financed from extrabudgetary resources. In addition, the share of OHCHR in the United Nations regular budget had decreased. In that connection, she took the view that sufficient resources should be allocated from the regular budget to enable the Office to carry out all its mandated activities. She requested the Secretariat to provide the Committee with information relating to the sums allocated to the various priorities set out in the medium-term plan during the past four bienniums and the percentage growth of those sums from one biennium to the next. The same information should also be provided in respect of the non-priority sections. She also wished to know how many posts had been approved for the sections in question and what the increase in those posts was as compared to the preceding biennium. Lastly, she inquired as to the percentage of extrabudgetary resources allocated to each of those sections over the past four bienniums.

86. **Mr. Thatchaichawalit** (Officer-in-Charge of the Economic, Social and Human Rights Section, Office of Programme Planning, Budget and Accounts), responding to the issues raised by the representative of Cuba, said that all actions in the field of human rights had been formulated within the existing mandate of OHCHR, in particular the medium-term plan, and there had therefore been no deviation from the legal framework.

87. As far as the regularization of staff under the 100 and 200 series was concerned, all the necessary arrangements would be made within the framework of existing regulations, namely the staff rules. He would provide the precise information requested as soon as possible.

Agenda item 120: Programme budget for the biennium 2002-2003 (*continued*)

Agenda item 121: Proposed programme budget for the biennium 2004-2005 (*continued*)

Agenda item 161: Financing of the United Nations Mission in Côte d'Ivoire (*continued*) (A/58/370, A/58/535, A/58/538 and A/58/598; A/C.5/58/12)

88. **Mr. Motomura** (Japan) said it was regrettable that his Government had received no responsible explanation about the kind of discussions that had taken place in the Security Council concerning peacekeeping operations and special political missions and how their mandates had been decided upon. Japanese taxpayers bore one fifth of the United Nations budget, and it was unacceptable for the Organization to

take their contribution for granted by simply sending the bill for those activities without providing any explanation about them. It was essential that peacekeeping operations and special political missions should be fully accountable to the international community and, in that connection, he reiterated his view that some kind of dialogue mechanism should be established between the Security Council and the major contributing countries.

89. The United Nations Mission in Côte d'Ivoire (MINUCI) had been established as a peacekeeping operation in May 2003. However, in October 2003, the General Assembly had been notified, by means of a letter from the Secretary-General, that it was actually a special political mission. He wondered whether that change involved a serious procedural flaw which could undermine the trust of the international community. Without detailed facts, he asked how non-members of the Security Council could know what criteria were used to differentiate between peacekeeping operations and special political missions and what it meant to convert a mission that fell within the purview of the Department of Peacekeeping Operations into a special political mission for budgetary and other purposes.

90. If the Organization continued to allow the adoption of such unilateral measures, his Government would have to give serious consideration to whether a separate account should be created in order to manage the budget for special political missions, which were contributing to the rapid increase in the regular budget of the United Nations. Based on the Security Council resolution and the report of the Secretary-General, his Government had proceeded with its domestic budget procedure on the understanding that MINUCI was a peacekeeping operation. He wished to make it clear that it would be extremely difficult to make budget provisions in circumstances where there was no explanation concerning the sudden change.

91. Lastly, he said it was extremely regrettable that the budget for MINUCI was being considered when the budget itself was extremely brief and without a report from ACABQ. Appropriate procedure for considering the budget should be observed.

92. **Mr. Kelapile** (Botswana), speaking on behalf of the African Group, said that the Group welcomed the proposed budget for the United Nations Mission in Côte d'Ivoire (MINUCI) (A/58/370) and the recommendation of the Advisory Committee that the General Assembly should approve it (A/58/538). The role of the United Nations in maintaining international peace and security was critical; it should not be considered marginal. Conflicts anywhere endangered everyone. It was only by the collective maintenance of global peace that the peace of individual countries could be safeguarded.

93. In the past, the African Group had expressed concern about the selective approach to the establishment of peacekeeping operations, particularly in Africa. It wished to emphasize that there should be equal and non-discriminatory treatment in that regard. The African countries would continue to play an active part in wide-ranging efforts to bring peace to the West African region. With the support of French forces, troops of the Economic Community of West African States (ECOWAS) had taken the leading role in helping to maintain the fragile peace in Côte d'Ivoire.

94. The situation in that country must be rapidly consolidated to ensure the full implementation of the Linas-Marcoussis Agreement, which provided the framework for returning the country to normality. The African Group shared the concern that, unless urgent action was taken, the tenuous security situation might deteriorate further. It welcomed the recent announcement by the Secretary-General that the full complement of military observers would be deployed as a response to the situation.

95. The African Group welcomed the clarification provided by the Secretary-General in his letter dated 23 October 2003 to the President of the Security Council (A/C.5/58/12, appendix II) that he had noted the Security Council's view that, for budgetary and other purposes, the United Nations Mission in Côte d'Ivoire should be administered as a special political mission. The Group had taken note of the confirmation in paragraph 4 of the note of the Secretary-General on the budget for the United Nations Mission in Côte d'Ivoire (A/58/598) that the Security Council, in its resolution 1514 (2003), had decided to extend the mandate of the Mission until 4 February 2004.

96. The African Group entirely concurred with the view of the Secretary-General that the responsibility for apportioning the expenses of the Organization lay with the General Assembly. The information provided on the matter had confirmed the established respective roles of the Security Council and the General Assembly: the Security Council established the

mandates of missions to support peace, but the General Assembly decided on the method of financing those mandates. Although it understood that division of responsibility, the African Group would like the Secretariat to clarify the distinguishing criteria that had been used in the past to designate particular missions relating to peace and security as special political missions.

97. The situation in Côte d'Ivoire was uncertain, and the peace processes in the neighbouring countries were fragile. The African Group would therefore have preferred to see a genuine peacekeeping operation authorized for Côte d'Ivoire. It hoped that when the Mission's mandate expired in February 2004, the Security Council would take account of the findings of the assessment mission which the Group understood the Secretary-General wished to dispatch. The situation in the country should be kept under constant review.

98. In paragraph 4 of its report on the proposed budget for the United Nations Mission in Côte d'Ivoire (A/58/538), the Advisory Committee had expressed the view that the Mission had too many organizational units and had recommended consolidation of the Political Affairs Office with the Civil Affairs Office. However, the African Group considered that the two Offices performed related but distinct functions: the Civil Affairs Office dealt with rule-of-law issues such as the legal, judicial and correctional systems, while the Political Affairs Office provided direct support to the Special Representative of the Secretary-General and dealt with broader political issues, in particular the fulfilment of the commitments of all parties to the peace process.

99. **Ms. Goicochea** (Cuba) said that her delegation's questions about the designation of the United Nations Mission in Côte d'Ivoire as a special political mission had been forestalled by the questions and comments of those who had spoken before her. She was anxious that the Committee should discuss such an important matter at a formal meeting.

100. **Mr. Daté-Yao** (Côte d'Ivoire) said that his delegation associated itself with the statement made by the representative of Botswana on behalf of the African Group, and with the statement of the representative of Japan.

101. Côte d'Ivoire was grateful for the many efforts which the United Nations had made in so short a space of time to promote reconciliation in a country which had for so long remained a haven of peace and prosperity. The process had moved forward with the establishment of a ceasefire, the signing of an agreement on the cessation of hostilities between the Forces Nouvelles and the Forces armées nationales de Côte d'Ivoire (FANCI), the formation of a Government of National Reconciliation, the gradual restoration of State authority in parts of the country, the adoption of an amnesty law and a draft law on the implementation of the Linas-Marcoussis Agreement, and the efforts to move forward with the disarmament, demobilization, reintegration and repatriation or resettlement of fighters. Threats to peace remained, first and foremost the threat that the situation would deteriorate again. The presence of armed groups with links outside the country needed urgent attention. The best solution lay in a regional approach in which the international community worked together with Côte d'Ivoire, Liberia and Sierra Leone. A robust peacekeeping operation was also needed to demonstrate political will and create the right environment for national reconciliation and the full and rapid implementation of the Linas-Marcoussis Agreement.

102. The situation in Côte d'Ivoire had wide-ranging social and economic effects. Côte d'Ivoire had the region's second largest economy after that of Nigeria and was the world's largest producer of cocoa and third-largest producer of coffee. It dominated trade within the region and provided markets and employment for the countries of the Sahel.

103. Although Côte d'Ivoire was pleased that the Security Council, through its resolution 1514 (2003), had renewed the mandate of the United Nations Mission in Côte d'Ivoire, that Mission had no direct peacekeeping role and the mandates of the French and ECOWAS troops in the country were themselves restricted. Since tension was still high, his delegation wished the Mission to be turned into a peacekeeping mission when its current mandate expired in February 2004.

104. **Mr. Jonah** (Sierra Leone) said that his delegation associated itself with the statement made by the representative of Botswana on behalf of the African Group, and with the statement of the representative of Côte d'Ivoire. His main concern was to avoid any delay in deciding on financing for operations in Côte d'Ivoire.

105. He had found the comments of the representative of Japan worrying, as they seemed to indicate an unravelling of a very delicate balance forged 30 years earlier at a time when a dispute over the authority and responsibilities of the Security Council and those of the General Assembly had nearly torn the Organization apart and had caused many years of financial crisis. The Committee's decision must not affect that balance.

106. **Mr. Halbwachs** (Controller) said that Article 17, paragraph 2, of the Charter provided that "the expenses of the Organization shall be borne by the Members as apportioned by the General Assembly". No further document qualified the roles of the Security Council and General Assembly in deciding on the financing of United Nations operations. In practice, the General Assembly had decided that funding for some missions should be assessed according to the scale of the regular budget of the Organization and that funding for other missions should be assessed according to the scale for peacekeeping operations. However, he was not aware that the General Assembly had laid down any criteria or guidelines to determine which activities should follow which pattern of funding. The Secretariat was guided instead by past practice: if a mission included a military component, it presented a budget to the Committee following the pattern of peacekeeping missions.

107. In resolution 1479 (2003), by which it had established the United Nations Mission in Côte d'Ivoire, the Security Council had made provision for military liaison officers. The Secretariat had assumed that its budget should be presented in the format used for peacekeeping missions, and it had done so in document A/58/370. As the subsequent exchange of correspondence between the President of the Security Council and the Secretary-General had shown, the issue of treating the Mission as a special political mission for the purposes of financing had been raised and had been referred to the Fifth Committee. To make the decisions of the Fifth Committee easier, the Secretariat had produced a brief outline of the cost implications of financing the Mission as a special political mission from the regular budget (A/58/598). That outline had intentionally not been detailed, as all the relevant information had been included in the original proposal in document A/58/370.

108. **Mr. Jonah** (Sierra Leone) said that, without wishing to contradict the information which the Controller had provided, he had been present in 1973 when the Security Council had provided guidelines on the method of financing missions in connection with the Second United Nations Emergency Force (UNEF II). The General Assembly had endorsed those guidelines.

109. **Mr. Agyeman** (Ghana) suggested that the Secretariat should provide a table summarizing the military components of previous special political missions and peacekeeping operations, since that would clarify past practice and make financing decisions easier.

110. **The Chairman** said that the Secretariat would prepare the information requested and make it available at the Committee's informal discussions.

111. **Mr. Ekorong à Dong** (Cameroon) said that his delegation associated itself with the statement made by the representative of Botswana on behalf of the African Group. As a member of the Security Council, Cameroon had closely followed the discussions regarding the United Nations Mission in Côte d'Ivoire. Like other representatives who had spoken before him, he would welcome its conversion into a peacekeeping mission. However, February 2004 was not far away, so he urged the Committee to wait until then to reopen the debate on its status and financing. To do otherwise would create a financing vacuum at a critical moment.

112. **Mr. Kelapile** (Botswana) said he agreed that, whatever the decision of the Committee, it must be made soon. He echoed the suggestion of the representative of Ghana that the Secretariat should provide information on past practice in determining how missions were classified.

113. **Ms. Goicochea** (Cuba) said that her delegation fully supported the aims of the United Nations Mission in Côte d'Ivoire and wished the Committee to make a rapid decision on its further financing. However, the debate on its classification as a special political mission raised an important issue. While the General Assembly should not intrude on the responsibilities of the Security Council, the reverse was also true. As the Controller had pointed out, financing decisions were the preserve of the General Assembly alone, under Article 17, paragraph 2, of the Charter. She recalled that decisions of the Security Council had caused similar problems when the General Assembly had discussed the financing of the United Nations tribunals. The interference of the Security Council in the business of the General Assembly was regrettable and should be

avoided. Her delegation took the view that, according to established practice, the United Nations Mission in Côte d'Ivoire should have been a peacekeeping mission rather than a special political mission.

114. **Mr. Motomura** (Japan) said that he wished to clarify his earlier statement, which seemed to have caused some concern. Preventing conflict, restoring peace and promoting development in Africa was vital. He had not wished to disrupt the delicate decision-making balance between the Security Council and the General Assembly, since everyone was aware that Member States must abide by the decisions of the Security Council. However, he was anxious to ensure that the decisions of the Security Council were transparent and accompanied by clear explanations for the benefit of the Member States in general, and Japan in particular, since Japan contributed 20 per cent of the budget.

115. **Mr. Wittmann** (United States of America) referred the Committee to his delegation's statement at the Committee's 20th meeting, in which it had explained how it viewed the response of the Secretariat to the position of the Security Council on the matter the Committee was discussing. His delegation agreed that a time would come when a decision must be made as to what distinguished a special political mission from a peacekeeping mission, since the Organization was adopting a variety of unique approaches to peacekeeping and peace-building. Such a discussion should be deferred, perhaps with the resumed fifty-eighth session, and could be widened beyond the confines of the Fifth Committee. For the moment, the Committee should address the immediate need to provide uninterrupted funding for the United Nations Mission in Côte d'Ivoire and to take account of its effect on the regular budgets for the 2002-2003 and 2004-2005 bienniums.

116. **Mr. Martini** (Italy), speaking on behalf of the European Union, said that he wished to remind the Committee that the Secretary-General, in his letter of 23 October 2003 to the President of the Security Council (A/C.5/58/12, appendix II), had stated that he had taken note of the Security Council's view that, for budgetary and other purposes, the United Nations Mission in Côte d'Ivoire should be administered as a special political mission. That was therefore the current status of the Mission.

117. **The Chairman** confirmed that additional information on the status and funding of special political missions and peacekeeping operations would be supplied at the Committee's informal meetings.

The meeting rose at 12.55 p.m.